

REMARKS / ARGUMENTS

In the application, no claims currently stand allowed and claims 1 – 25 and 27 – 29 stand rejected. Claims 1 – 25 and 27 – 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Netscape Communicator v4.61 (“Netscape Communicator”) in view of Prizm Plug-in 2.1 (“Prizm Plug-in”).

Independent claims 1, 14, and 22 have been amended to include a further clarification that the modified image is saved as a modified source file on the remote computer. Dependent claims 8 and 29 have been canceled and have been incorporated into amended claims 1 and 22 respectively. No new matter is introduced by these amendments.

Applicants acknowledge with appreciation the courtesy of a telephone interview granted to Applicants’ representatives by Examiner Luu on March 18, 2004. Mr. Scott Schulhof represented the Applicants. The Examiner’s Interview Summary Form appears at paper no. . Pursuant to 37 C.F.R. § 1.133(b), the following is a complete written statement of the reasons presented at the interview as warranting favorable action.

Claim 1 was discussed with respect to the Netscape Communicator and Prizm Plug-in references. Applicants submitted a proposed draft amendment for claim 1 which incorporated the limitation that the modified image is saved “as a modified source file on the remote computer”. While Examiner Luu indicated the amendment was a positive step toward getting the claims in an allowable form, he also indicated that it would necessitate a new search and thus the amendment would not be entered. Examiner Luu instead encouraged Applicants to file the amendment as a submission for a Request for Continued Examination with supporting remarks specifying why the

Netscape Communicator and Prizm Plug-in references fail to teach or suggest saving the modified image as a modified source file on the remote computer.

Before turning to the specific claim language, Applicants believe a short synopsis of the invention is useful. Generally, Applicants' invention teaches modifying an image directly from a web page displayed in a web-browser interface, which eliminates the overhead and inefficiencies of known systems that are unable to select an imported image directly from the web page and open it for editing. As explained on page 1 of the specification, beginning at line 22:

“[Commercially available web publishing] programs do not, however, allow the user to select an imported image directly from the web page and open it for editing. Instead, the user must execute a separate specialized application for editing that type of image, locate the source file for the image on the local network, and open it with the specialized application.”

However Applicants' invention also teaches a method for saving the modified image as a modified source file back to the remote computer eliminating the need for the user to upload the modified image back to the remote computer where that image source file is located. As is also explained on page 2 of the specification, beginning at line 7:

“Current graphics programs, however, are also limited in the sense that they are not capable of communicating using any of the popular networking and transport protocols (hereinafter referred to collectively as ‘Internet protocols’) such as those found in the various implementations of TCP/IP stacks. Therefore, these graphics programs can only work with image files that are stored locally. To edit an imported image of a remotely stored web page, a user has to open a browser, download the page and store it locally. The user must then open (sic) locate the source file of the image and open it with the graphics editing program. Once the user has finished editing the image, he or she must save it locally, open the image in a browser, and post it to the remote computer.”

Accordingly, independent claims 1, 14, and 22 have been amended to include a further clarification that the modified image is saved as a modified source file on the remote computer.

In contrast to Applicants' invention, the documents of record describing the Netscape Communicator and Prizm Plug-in references teach a web-browser interface that hosts a separate

specialized control, Prizm Plug-in, for editing an image that is pointed to via a browser. The Prizm Plug-in uses the browser window as its main application window as opposed to being its own full application. Since the Prizm Plug-in utilizes the browser as a host for the control, it gives the appearance that the Prizm Plug-in allows for editing inside the browser and modification of an image on a web page. However, this is in fact not the case at all as the Prizm Plug-in demonstrates no ability whatsoever to save the modified image as a modified source file on the remote computer. The Prizm Plug-in is nothing more than an image editor and annotation program that happens to use the browser window as a canvas.

Applicant's amended claims specify that the modified image is saved as a modified source file on the remote computer. Such an arrangement is not described or even remotely suggested by Netscape Communicator, nor is it suggested by the combination of Netscape Communicator with the Prizm Plug-in. This is necessarily true as the Prizm Plug-in does not possess any networking and transport protocols. At most, the teachings of the Prizm Plug-in can only be extended to a method of modifying an image on a downloaded web page and saving that image locally. Such a method has nothing to do with modifying an image on a web page and then saving the updated image file as the source file on the remote computer.

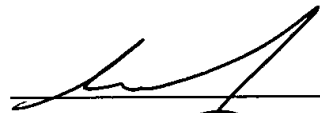
All of the pending claims now either include language clarifying that the modified image is saved as a modified source file on the remote computer or depend from claims that include such language. Therefore, Applicants submit that the rejections in the Office action have been rendered moot. As this technique for modifying an image on a web page is not discussed in, nor rendered obvious by, the cited art, Applicants further submit that all of the pending claims are now allowable.

In re Appln. of COVER et al.
Application No. 09/599,999
Reply to Office action of December 19, 2003

CONCLUSION

In view of the above amendments and remarks, the application is considered in good and proper form for allowance. The Examiner is respectfully requested to pass this application to issue. If, in the opinion of the examiner, a telephone conference would expedite the prosecution of the subject application, the examiner is invited to call the undersigned attorney.

Respectfully submitted,



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Date: April 19, 2004